

**JACKSON LEWIS P.C.**

Joshua A. Sliker, (Nevada Bar No. 12493)

*joshua.sliker@jacksonlewis.com*

3800 Howard Hughes Parkway, Suite 600

Las Vegas, Nevada 89169

Telephone: (702) 921-2460

Facsimile: (702) 921-2461

**HUESTON HENNIGAN LLP**

John C. Hueston (*admitted pro hac vice*)

*jhueston@hueston.com*

Robert N. Klieger (*admitted pro hac vice*)

*rklieger@hueston.com*

Allison L. Libeu (*admitted pro hac vice*)

*alibeu@hueston.com*

523 W. 6<sup>th</sup> St., Suite 400, Los Angeles, CA 90014

Telephone: (213) 788-4340

Facsimile: (888) 775-0898

*Attorneys for Plaintiff/Counterdefendant Tesla, Inc.*

**TIFFANY & BOSCO, P.A.**

Robert D. Mitchell (*admitted pro hac vice*)

*rdm@tblaw.com*

William M. Fischbach III (*admitted pro hac vice*)

*wmf@tblaw.com*

Christopher J. Waznik (*admitted pro hac vice*)

*cjw@tblaw.com*

Jason C. Kolbe (Nevada Bar No. 11624)

*jck@tblaw.com*

Kevin S. Soderstrom (Nevada Bar No. 10235)

*kss@tblaw.com*

Camelback Esplanade II, Seventh Floor

2525 East Camelback Road Phoenix, Arizona 85016-4229

Telephone: (602) 255-6000

Facsimile: (602) 255-0103

*Attorneys for Defendant/Counterclaimant Martin Tripp*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

TESLA, INC., a Delaware corporation,

Plaintiff,

v.

MARTIN TRIPP, an individual,

Defendant.

AND RELATED COUNTERCLAIM

Case No.: 3:18-cv-00296-LRH-CBC

**JOINT INTERIM STATUS REPORT**

Pursuant to Local Rule 26-3, Plaintiff/Counterdefendant Tesla, Inc. (“Tesla”) and Defendant/Counterclaimant Martin Tripp hereby submit the following joint interim status report in compliance with the Court’s Discovery Plan and Scheduling Order (ECF No. 31).

**1. TIME NECESSARY FOR TRIAL**

Both parties requested trial by jury. (ECF Nos. 1 & 25.) While discovery is ongoing, the parties estimate that trial of this matter will last approximately ten days.

**2. AVAILABILITY FOR TRIAL**

The parties anticipate that dispositive motions may be filed in this case. Pursuant to paragraph 5 of the Court’s Discovery Plan and Scheduling Order (ECF No. 31), the last day to file dispositive motions is February 6, 2019. On November 8, 2018, Mr. Tripp’s counsel proposed that the parties meet and confer regarding a possible extension of an unspecified number of case deadlines, saying that Mr. Tripp would propose specific date adjustments in future correspondence. The parties will meet and confer regarding any schedule modifications Mr. Tripp proposes and bring scheduling matters to the Court’s attention when appropriate.

Availability of counsel for both parties will depend largely on whether the parties file dispositive motions and the timing of the Court’s ruling on any such motions. In the event that neither party files a dispositive motion, on or before March 8, 2019, or such other extended deadline agreed to by the parties and approved by the Court, the parties will jointly identify and file with the Court dates of availability for trial. In the event that a dispositive motion is filed, the parties will jointly identify and file with the Court dates of availability for trial within thirty days of the Court’s ruling on the dispositive motion.

**3. WHETHER TRIAL IS LIKELY TO BE ELIMINATED OR SHORTENED**

Tesla believes that a dispositive ruling may shorten or eliminate the need for trial. Mr. Tripp does not believe that any dispositive motion would eliminate or shorten the length of trial. Both parties agree that it is unlikely that any other substantive motion would eliminate or shorten the length of trial.

**4. CERTIFICATION REGARDING TRIAL BY MAGISTRATE, SHORT TRIAL, AND ADR**

The parties certify that they have met and considered a trial by a magistrate judge pursuant to 28 U.S.C. § 636(c) and Federal Rule of Civil Procedure 73 and the use of the Court's Short Trial Program. At this time, the parties do not consent to trial by the magistrate judge or to the use of the Court's Short Trial Program. The parties further certify that they have conferred and considered use of alternative dispute-resolution processes, including mediation, arbitration, and early neutral evaluation.

Respectfully submitted,

Dated: November 8, 2018

**HUESTON HENNIGAN LLP**

/s/ Allison L. Libeu

---

---

Allison L. Libeu

*Attorneys for Plaintiff Tesla, Inc.*

**JACKSON LEWIS P.C.**

/s/ Joshua A. Sliker

---

---

Joshua A. Sliker

*Attorney and Local Counsel for Plaintiff Tesla, Inc.*

Dated: November 8, 2018

**TIFFANY & BOSCO, P.A.**

/s/ Robert D. Mitchell

---

---

Robert D. Mitchell

*Attorneys for Defendant Martin Tripp*

**CERTIFICATE OF SERVICE**

I hereby certify and declare under penalty of perjury that on November 8, 2018, I electronically filed the foregoing with the Clerk of Court for filing and uploading to the CM/ECF system which will send notification of such filing to all parties of record.

/s/ Kelley Chandler